

Remarks

Claims 13 and 14 are amended and claims 15 to 18 are added. Claims 9 to 11 and 13 to 18 are pending in this application of which claims 13 and 14 are in independent form.

Independent claims 13 and 14 were rejected under 35 USC 102(b) as being anticipated by Bota et al. The following will show that claims 13 and 14, as amended, patentably distinguish the invention over this reference.

The method of the applicants' invention is for ensuring standstill of a vehicle in combination with an adaptive road speed controller of the vehicle. Accordingly, the applicants' method makes use of an adaptive road speed controller which maintains a distance to an object ahead of the vehicle in question. Such an object is another motor vehicle running along the same roadway as the vehicle in question. To maintain this distance, the controller operates on the engine power and a brake of the vehicle to brake the vehicle down to standstill. If this happens, then measures are initiated to ensure the standstill. These measures are disabled when the driver actuates an operator-controlled element representing the driver's start-drive command. Such an operator-controlled element could be, for example, a switch of the adaptive road speed controller.

In contrast to the applicants' invention, Bota et al does not describe an adaptive road speed controller of the kind set forth in applicants' claim 13 which brakes the vehicle automatically into standstill and then executes the measures

described for ensuring standstill and then disables these measures when the driver actuates the operator-controlled element representing the start-drive command of the driver. In this way, the adaptive road speed controller is again activated and the vehicle automatically starts to move.

Claim 13 is amended herein to include the additional method steps of:

"measuring at least the distance of said vehicle to an object ahead of said vehicle;

activating the engine control or the braking control of said vehicle in dependence upon said distance and a desired value so that said vehicle can be braked to standstill;"

The above additional features are nowhere suggested in Bota et al and should now place the applicants' invention well beyond the reach of our person exercising only ordinary skill and guided by Bota et al. Bota et al affords no suggestion whatsoever as to an adaptive road speed controller as set forth in the applicants' invention with the described functions set forth in applicants' claim 13. Especially, neither the measurement of the distance to an object ahead of the vehicle in question nor the control of the brakes in dependence upon this distance and the possibility of braking to standstill is suggested in this reference. Accordingly, applicants respectfully submit that claim 13 patentably distinguishes the invention over Bota et al and should be allowable.

Claim 14 is the only other independent claim in the application and it parallels claim 13 in an apparatus context and

has been similarly amended so that this claim too should now be allowable.

The remaining claims 9 to 11 and added claims 15 to 18 are all dependent from one of the independent claims so that these claims too should be allowable.

Reconsideration of the application is respectfully requested.

Respectfully submitted,



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Version with Markings to show Changes made:In the Claims:

Please amend claims 13 and 14 as follows:

13. (Twice Amended) A method for ensuring standstill of a vehicle in combination with ~~a~~ an adaptive road speed controller of the vehicle, the vehicle including a drive train incorporating an automatic transmission which provides and interrupts a force  
5 flow in the drive train, the method comprising the steps of:

~~braking the vehicle to standstill with said road speed controller of said vehicle;~~

measuring at least the distance of said vehicle to an object ahead of said vehicle;

10 activating the engine control or the braking control of said vehicle in dependence upon said distance and a desired value so that said vehicle can be braked to standstill;

building up and/or maintaining a braking force in the manner of a parking brake function when said standstill of said vehicle  
15 is detected;

interrupting the force flow in the drive train of said vehicle by controlling an automatic transmission into a neutral position or a park position;

20 detecting a start-drive command of the driver when an operator-controlled element is actuated; and,

disengaging said parking brake function and controlling said automatic transmission out of said neutral position or said park

position ~~only~~ when said start-drive command is detected.

14. (Twice Amended) An arrangement for ensuring standstill of a vehicle in combination with ~~a~~ an adaptive road speed controller of the vehicle, the vehicle including a drive train incorporating an automatic transmission which provides and interrupts a force  
5 flow in the drive train, the arrangement comprising a control unit which executes the following steps:

~~braking the vehicle to standstill with said road speed controller of said vehicle;~~

10 measuring at least the distance of said vehicle to an object ahead of said vehicle;

activating the engine control or the braking control of said vehicle in dependence upon said distance and a desired value so that said vehicle can be braked to standstill;

15 building up and/or maintaining a braking force in the manner of a parking brake function when said standstill of said vehicle is detected;

interrupting the force flow in the drive train of said vehicle by controlling an automatic transmission into a neutral position or a park position;

20 detecting a start-drive command of the driver when an operator-controlled element is actuated; and,

disengaging said parking brake function and controlling said automatic transmission out of said neutral position or said park position ~~only~~ when said start-drive command is detected.